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Security Council

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Resolution 1359 (2001)

Adopted by the Security Council at its 4342nd meeting, on 29 June 2001

The Security Council,

Recalling all its previous resolutions on Western Sahara, in particular resolution 1108 (1997) of 22 May 1997, and the statement by its President of 19 March 1997 (S/PRST/1997/16),

Recalling also its resolution 1308 (2000) of 17 July 2000, and the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,

Reaffirming the provisions contained in paragraph 2 of Article 1 of the Charter of the United Nations,

Having considered the report of the Secretary-General of 20 June 2001 (S/2001/613),

Expressing full support for the role and work of the Personal Envoy,

Reiterating full support for the ongoing efforts of the United Nations Mission for the Referendum in Western Sahara (MINURSO) to implement the Settlement Plan and agreements adopted by the parties to hold a free, fair and impartial referendum for the self-determination of the people of the Western Sahara,

Taking into consideration the Official Proposals submitted by the Polisario Front in order to overcome the obstacles preventing the implementation of the Settlement Plan contained in annex IV to the report of the Secretary-General,

Taking into consideration also the draft Framework Agreement on the Status of Western Sahara contained in annex I to the report of the Secretary-General, which would provide for a substantial devolution of authority, which does not foreclose self-determination, and which indeed provides for it,

Taking into consideration further the Memorandum of the Government of Algeria on the Draft Status for Western Sahara contained in annex II to the report of the Secretary-General,

Reaffirming its commitment to assist the parties to achieve a just and lasting solution to the question of Western Sahara,

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1. *Decides*, as recommended by the Secretary-General in his report of 20 June 2001, to extend the mandate of MINURSO until 30 November 2001;

2. *Supports fully* the efforts of the Secretary-General to invite all the parties to meet directly or through proximity talks, under the auspices of his Personal Envoy, and *encourages* the parties to discuss the draft Framework Agreement and to negotiate any specific changes they would like to see in this proposal, as well as to discuss any other proposal for a political solution, which may be put forward by the parties, to arrive at a mutually acceptable agreement;

3. *Affirms* that while discussions referred to above go on, the official proposals submitted by the Polisario Front to overcome the obstacles preventing implementation of the Settlement Plan will be considered;

4. *Recalls* that according to the rules of the consultations established by the Personal Envoy nothing would be agreed until everything had been agreed, and therefore *emphasizes* that by engaging in these negotiations the parties will not prejudice their final positions;

5. *Urges* the parties to solve the problem of the fate of people unaccounted for, and *calls on* the parties to abide by their obligations under international humanitarian law to release without further delay all those held since the start of the conflict;

6. *Requests* the Secretary-General to provide an assessment of the situation before the end of the present mandate, and, as appropriate, recommendations on the future mandate and composition of MINURSO;

7. *Decides* to remain seized of the matter.